

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3246/1dn
RCT:jld:jf

October 22, 2007

Paul Beard:

This is a draft of the proposal changing the fence law. Please review it carefully.

Section 90.03 allows landowners to agree to use markers instead of fences. I did not remove that language. Because under this draft the shared requirement to maintain a partition fence only applies if both landowners use the land for grazing or keeping livestock, the use of markers rather than fences seems impractical. Please let me know if you wish to remove that language.

Section 90.035 requires the state or a local government to share the cost of erecting or maintaining a fence if both parties agree a fence is necessary. Please consider whether the treatment of that provision in this draft is consistent with the intent of this request or whether that provision should be repealed or changed in some other way.

Please contact me with any questions or redraft instructions.

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